IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital the May 15th, 2006

Criminal Misc. Bail Application No.404 of 2006

Order on the bail application of accused

CRIMINAL SIDE

Smt. Asha W/o Suseem Ahmed
R/o Indra Colony
Gali No.4 Rudrapur
District U.S. Nagar ..….Applicant

Versus

State of Uttaranchal ……..Opposite Party

Arising out of case crime No.898 of 2006
Under Sections 302, 120-B IPC
Police Station – Rudrapur
District – U. S. Nagar

Hon'ble J. C. S. Rawat, J.

Heard Sri M. K. Goyal learned counsel for the applicant and learned A.G.A. for the State.

Perused the record. The case diary of this case is available with the learned AGA. It was pointed out by the learned AGA that the applicant-Smt. Asha has herself admitted before the police that the deceased-Gopal wanted to marry with her. It was further pointed out that there is evidence that the husband of the applicant died earlier and the applicant was living with one-Suseem Ahmad. She had illicit relations with Gopal as well as Suseem Ahmad. It was pointed out that the applicant refused to marry with Gopal and gave her consent of Marriage with Gopal on the condition that Suseem Ahmad would also visit twice in a week. Other evidence against the applicant is that there was a scuffle prior to the incident. Learned AGA pointed out that there is no other circumstance against the applicant. It was contended on behalf of the applicant that there is no complete chain of the offence. Considering the totality of the facts and circumstances of the case, it is a fit case for bail.

Let the applicant-accused be released on bail on executing a personal bond and two sureties each in the like amount to the satisfaction of the Magistrate concerned.

(J.C.S. Rawat, J.)

Dated 15.05.2006